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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : David Hughes, et al.
Filed : 4/20/2001
Serial No. : 09/838,983
Confirmation No. : 1235
Group Art Unit : 2155
Examiner : Alicia Baturay
Docket Number : SNY-P4339
Title : Superdistribution of Music Sample Using Email

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING / FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

[X] deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[] transmitted by facsimile to the U.S. Patent and Trademark Office.

Applicant, Assignee or Reg. Representative: Jerry A. Miller, Reg. No. 30,779

Signature: /Jerry A. Miller Date: 3/6/2008

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This is a response to the notice of non-compliant amendment dated March 3, 2008 which embodies a full copy of the corrected response, correcting a response originally filed more than one year ago for an office action dated 12/21/2006. The error in the original response was an inadvertent failure to properly identify the status of claim 47. Applicant supplied replacement pages for the originally filed amendment, which has apparently been deemed, more than one year later, to be an insufficient response. The undersigned trusts that this response fully resolves this minor informality and that

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substantive examination can now proceed without undue delay.

The undersigned invites the Examiner to contact him if he can be of any assistance in expediting the prosecution of this application. The undersigned can be contacted at the telephone number below.

Respectfully submitted,

/Jerry A. Miller 30779/

Jerry A. Miller
Registration No. 30,779

Dated: 3/6/2008

Please Send Correspondence to:
Jerry A. Miller
Miller Patent Services
2500 Dockery Lane
Raleigh, NC 27606
Phone: (919) 816-9981
Fax: (919) 816-9982
Customer Number 24337

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Signature: /Jerry A. Miller Date: 3/6/2008

RESPONSE TO OFFICE ACTION

Sir:

INTRODUCTORY COMMENTS:

This communication is responsive to the Final Office Action dated 12/21/2006 in which all claims were rejected. On April 19, 2005 Applicants requested that the finality of the Office Action be removed and requested an interview to resolve all outstanding issues. The removal of the finality was agreed upon at the interview of 5/2/2005. Applicant(s) respectfully request reconsideration in view of the following.

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